

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

In re:

LEHMAN BROTHERS HOLDINGS, INC.

Debtor

Chapter 11
Case No. 08-13555 (JMP)

**NOTICE PURSUANT TO 11 U.S.C. §546(b) IN LIEU OF SEIZURE OF PROPERTY
OR COMMENCEMENT OF ACTION**

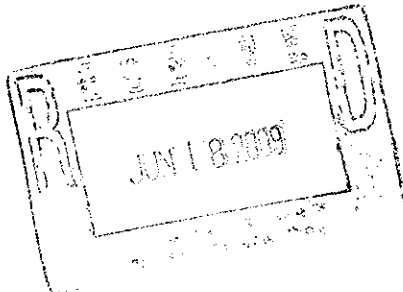
Pursuant to 11 U.S.C. §546(b) in Lieu of Seizure of Property or Commencement of Action, Tetra Tech, Inc. hereby provides notice of its intent to perfect its previously recorded mechanic's lien on certain real property and improvements thereon located in San Miguel, Colorado to wit:


Lot 161 C-R, Town of Mountain Village, according to plat of Lots 56A, 56B, 57, 58, 99 and 161C, and Tract A-6, A-6A, OS-3 and OS-3B, Town of Mountain Village, located with Section 3, Township 42 North, Range 9 West of the New Mexico Prime Meridian (NMPM), San Miguel County, Colorado, containing 2.842 acres, Plat Book 1, page 2529-2530, filed 4-2-1999, Reception No. 377694;

and commonly known as: 691 Mountain Village Boulevard, Mountain Village, Colorado 81435 and/or 693 Mountain Village Boulevard, Mountain Village, Colorado 81435 and/or 891 Mountain Village Boulevard, Mountain Village, Colorado 81435 and/or One Gondola Place, Mountain Village, Colorado 81435.

Tetra Tech, Inc.'s interest in the property is evidenced by Tetra Tech, Inc.'s Lien Statement, copy of which is attached hereto as Exhibit A. The debt secured by this mechanic's lien under Colorado law is in default, and Tetra Tech, Inc. hereby provides notice of its interest in the property pursuant to 11 U.S.C. §546(b), and its intent to commence an action to foreclose its mechanic's lien.

Respectfully submitted this 17th day of June, 2009





David E. Leavenworth, 27372
Brian Molzahn, 33856
Hall & Evans, LLC
1125 Seventeenth Street, Suite 600
Denver, Colorado 80202


303-628-3300

Address of Creditor Lien
Tetra Tech, Inc.
1900 South Sunset Street, Suite 1F
Longmont, CO 80501

CERTIFICATE OF MAILING

I hereby certify that a true and correct copy of the foregoing **NOTICE PURSUANT TO 11 U.S.C. §546(b) IN LIEU OF SEIZURE OF PROPERTY OR COMMENCEMENT OF ACTION** has been mailed to the following this 11th day of June, 2009, by placing same in the United States mail, postage prepaid, addressed to the following Debtor and Debtor's Attorneys:

Lehman Brothers Holdings Inc. 745 Seventh Avenue New York, NY 10019	Benjamin Rosenblum Jones Day 222 East 41st Street New York, NY 10017
Diane Harvey Shai Waisman Harvey R. Miller Jacqueline Marcus Weil Gotshal & Manges LLP 767 Fifth Avenue New York, NY 10153	Francis J. Lawall Pepper Hamilton LLP 3000 Two Logan Square 18th & Arch Street Philadelphia, PA 19103-2799
Jerrold Lyle Bregman Lynn P. Harrison, III Steven J. Reisman Curtis, Mallet-Prevost, Colt & Mosle LLP 101 Park Avenue New York, NY 10178	Ralph I. Miller Weil, Gotshal & Manges, LLP 1300 Eye Street, N.W. Suite 900 Washington, DC 20005


Charlene Novak

404234
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SAN MIGUEL COUNTY, CO
PEGGY HERLIN CLERK-RECORDER
10-15-2008 11:15 AM Recording Fee \$41.00

STATEMENT OF LIEN

In accordance with Article 22 of Title 38 of the Colorado Revised Statutes,
Tetra Tech, Inc.

makes the following statement of lien.

FIRST. That the name of the owner or reputed owner of such property to be charged with the lien is MR 1.81 LLC - Monument Realty
1700 K Street, NW, Suite 600
Washington, DC 20006

SECOND. That the name and mailing address of the person claiming the lien is
Tetra Tech, Inc.
1900 South Sunset Street, Suite 1F
Longmont, CO 80501

☐ a subcontractor
☐ Principal Contractor.

That the name of the person who furnished the laborers or material, or performed the labor or services, or supplied the machinery, tools or equipment for which said lien is claimed is

Tetra Tech, Inc.

That the name of the principal contractor is

Tetra Tech, Inc.

THIRD. That the property to be charged with such lien is described as follows:
Lot 161, C-R, Town of Mountain Village, according to replat of lot 56A, 56B, 57, 58, 99 and 161C, and Tract A-6, A-6A, OS-3, and OS-3B, Town of Mountain Village, located within Section 3, Township 42 North, Range 9 West of the New Mexico Prime Meridian (NMPM), San Miguel County, Colorado, containing 2.842 acres, plat book 1, pages 2529-2530, filed 4-2-1999, reception number 377694.

also known by street number as

situate in the County of San Miguel
account of services performed and materials provided.

State of Colorado. That the said lien is held for and on

FOURTH. That the amount of indebtedness due or owing the claimant for which said lien is claimed, for laborers or material furnished, labor and services performed, machinery, tools and equipment supplied is \$ 37,402.00 together with interest thereon at the legal rate.

Tetra Tech Inc.

Claimant

By [Signature]

STATE OF COLORADO

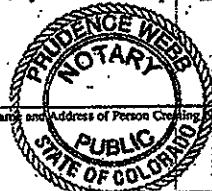
Said County of Boulder

ss.

I, Tom Hesemann, being of lawful age and being first duly sworn upon oath, do say that I am president of Tetra Tech Inc. the claimant herein named; that I have read the within statement of lien and abstract of indebtedness and know the contents thereof; and that the same is true and correct, to the best of my knowledge, information and belief, and is made on behalf of the claimant.

Subscribed and sworn to before me in the said County of Boulder, State of Colorado, this 24th day of September, 2008.

My Commission expires October 20, 2011. Witness my hand and official seal.



Notary Public

Name and Address of Person Creating Newly Created Legal Description (§ 38-35-106.5, C.R.S.)

Exhibit A

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NOTICE OF INTENT TO FILE A LIEN STATEMENT

TO THE OWNER AND TO THE PRINCIPAL CONTRACTOR:

Take Notice that the Lien Claimant set forth on the Statement of Lien contained on the reverse of this Notice claims a Mechanic's Lien for laborers or material or equipment supplied to or labor performed on the project situate upon the real property described on said Statement of Lien, for the amount stated. If payment is not made within ten (10) days, the Claimant intends to record said Statement of Lien in the County where the real property is located. This notice is given pursuant to Section 38-22-109(3) C.R.S.***

Tetra Tech Inc.
1900 South Sunset St., Suite 1F
Longmont, CO 80501

Attorney's Name and Address

Type Name and Address of Claimant Above

AFFIDAVIT OF SERVICE OR MAILING -- OWNER

STATE OF COLORADO

Said County of Boulder ss.

The undersigned, being of lawful age and being first duly sworn upon oath, deposes and says that this Notice of Intent to File a Lien Statement was (personally served upon)* (mailed by fully prepaid registered* or certified* mail, return receipt requested, to the last known address of)* the owner or reputed owner or his agent, as follows: MR 1.81 LLC - Monument Realty, 1700 K St. NW, Suite 600, Washington, DC 20006
on the 24th day of September, 20 08

Subscribed and sworn to before me in the said County of Boulder
State of Colorado, this 24th day of September, 20 08.

My commission expires: October 20, 2011
Witness my hand and official seal.

Notary Public

AFFIDAVIT OF SERVICE OR MAILING -- CONTRACTOR

STATE OF COLORADO

County of _____ ss.

The undersigned, being of lawful age and being first duly sworn upon oath, deposes and says that this Notice of Intent to File a Lien Statement was (personally served upon)* (mailed by fully prepaid registered* or certified* mail, return receipt requested, to the last known address of)* the principal or prime contractor or his agent, as follows:

on the _____ day of _____, 20 _____

Subscribed and sworn to before me in the _____ County of _____
State of _____, this _____ day of _____, 20 _____

My commission expires: _____

Witness my hand and official seal.

Notary Public

AFFIDAVIT OF SERVICE OR MAILING PRIOR TO FILING LIEN STATEMENT**

STATE OF COLORADO

Said County of Boulder ss.

The undersigned, being of lawful age and being first duly sworn, deposes and says that this Notice of Intent to File a Lien Statement was served pursuant to Section 38-22-109(3) C.R.S.***, as evidenced by the Affidavits of Service or Mailing, at least ten (10) days before the time of filing the Lien Statement with the County Clerk and Recorder.

Subscribed and sworn to before me in the said County of Boulder
State of Colorado, this 24th day of September, 20 08.

My commission expires: October 20, 2011
Witness my hand and official seal.

Notary Public

and 10 or more days after mailing or service of Notice of Intent to File a Lien Statement, but prior to filing lien statement.
In order to preserve any lien for work performed or laborers or materials furnished, there must be a notice of intent to file a Lien statement with the county clerk and recorder. Such notice of intent shall be served by personal service or by registered or certified mail, return receipt requested, addressed to the last known address of such person, and an affidavit of such service or mailing at least ten days before filing of the Lien statement with the county clerk and recorder shall be filed for record with said statement and shall constitute proof of such service.